

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. No. 6/2011, I.A. No. 7/2013, I.A. No. 8/2013 in Civil Appeal
No(s). 660/2003

INDER SINGH & ORS.

Appellant(s)

VERSUS

KEHAR SINGH (D) & ORS.

Respondent(s)

(for c/delay in filing substitution appln. and setting aside an
abatement and substitution and office report)

Date : 21/07/2014 This application was called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA
[IN CHAMBER]

For Appellant(s)

Ms. Pratibha Jain ,Adv.

For Respondent(s)

Mr. Sudhir Nandrajog ,Adv.
Mr. L. C. Agrawala ,Adv.
Mr. V. N. Raghupathy ,Adv.
Mr. Abhay Kumar ,Adv.
Mr. Tenzing A., Adv.
Mr. Tarvinka Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the appellant on
the application for substitution to bring on record
the Legal Heirs of Deceased Respondent No.1 with
application for condonation of delay as there is a
delay of 4 years and 141 days and exemption from
filing Official Translation, which are registered as
IA nos. 6, 7 and 8 respectively.

Signature Not Verified
Digitally signed by
Sonia Kumari
Date: 2014.07.25

It is submitted that when the Chamber

16:07:15 IST

Reason:

Summons of substitution application was sent, the wife

of the Respondent no. 1 was dead and that the death
of the First Respondent and his wife was not intimated
to the applicant. According to the petitioner, after
a detailed inquiry it came to light that the

deceased first respondent executed a will dated
21.5.2007 by which he bequeathed all his rights in
favour of Mr. Sukhram s/o Amar Singh and therefore,
Shri Sukhram be substituted as LR of deceased first
respondent. In the light of the said explanation
offered, I am convinced that the said proposed party
can be impleaded as party respondent to substitute the
First Respondent and accordingly, applications for
condonation and substitution are allowed. However,
taking note of the enormous delay in filing this
application, I.A. Nos. 6-7 are allowed subject to the
payment of the cost of Rs. 5000/- to be deposited with
the Supreme Court Employees' Association Welfare Fund

within four weeks' from today. Failing compliance of the condition imposed, the benefit granted in this order will automatically cease to operate.

[Sonia Kumari]
SR. P.A.

[Tapan Kumar Chakraborty]
COURT MASTER